

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.947 OF 1985

Pune Municipal Corporation,Pune

...Appellant

Vs.

1.Kanhylal Chunilal Shah & Ors.

...Respondents

CORAM: A.S.OKA, J.

DATED: JANUARY 20,2005.

ORAL JUDGMENT :

1. The Counsel appearing for the parties have informed me that this First Appeal is placed on Board of this Court as the same was ordered to be heard along with Second Appeal Nos.546 and 547 of 1986. By a separate Judgment today I have dismissed the aforesaid Second Appeals. When the First Appeal was taken up, I noticed that the claim in the original suit for both the purposes is less than Rs.2,00,000/-.In view of the amendment to the provisions of Bombay Civil Courts Act, 1869, the Appeal will have to be transferred to the District Court.

2. Accordingly, office is directed to transfer this Appeal to the District Court at Pune. The papers of the Appeal and Record and Proceedings of the suit, if it is received by this Court,

shall be forwarded to the District Court, Pune within a period of eight weeks from today.

3. Parties are directed to appear before the learned District Judge, Pune on 28th March 2005 for fixing the date of hearing. The learned District Judge will decide the Appeal as expeditiously as possible on or before 31th July 2005.

Judge.